



PATENT

Docket No.: 176/60581 (1-11027-845)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ray et al.

Serial No. : 09/590,968

Cnfrm. No. : 2086

Filed : June 9, 2000

For : GENE ENCODING SHORT INTEGUMENTS
AND USES THEREOF

)
) Examiner:
) J. Zara

)
) Art Unit:
) 1635

DECLARATION OF TERESA A. GOLDEN AND ANIMESH RAY
UNDER 37 C.F.R. §1.131

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

WE, TERESA A. GOLDEN and ANIMESH RAY, pursuant to
37 C.F.R. § 1.131, declare:

1. We are co-inventors of the above patent application.
2. It is our understanding that some of the claims of our above-referenced patent application are rejected as anticipated by the sequences deposited as accession number AC007323 by J.R. Ecker of the *Arabidopsis thaliana* Genome Center, Department of Biology, University of Pennsylvania ("Ecker").
3. NCBI, the publisher of GenBank accession submissions, has advised us that accession number AC007323 was released to the public on April 19, 1999.
4. Prior to April 19, 1999, we conceived and reduced to practice in the United States the full-length cDNA sequence (6184 b.p.) of the Short Integuments1 ("*SINI*") gene and the corresponding amino acid sequence of the SIN1 protein encoded by that gene, which we cloned from *Arabidopsis thaliana*. Evidence of this reduction to practice is found in attached Exhibit 1, which is a true copy of our laboratory records, showing the DNA Strider™ sequence record of the *SINI* gene, and the predicted SIN1 amino acid sequence.

For purposes of this declaration, the dates of Exhibit 1 have been removed, as indicated by the REDACTED stamp.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 9/16/02

Teresa A. Golden
Teresa A. Golden, Ph.D.

Date: 9/27/2002

Animesh Ray
Animesh Ray, Ph.D.